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SUBJECT: COURT OF APPEALS CONFIRMS OKRUASHVILI DETENTION

REF: A. TBILISI 2437

[B](#). TBILISI 2452

[C](#). TBILISI 2415

[1](#). (U) Summary: The Tbilisi Court of Appeals rejected an appeal of former Defense Minister Irakli Okruashvili's two month pre-trial detention on October 1. Okruashvili's lawyer called it an "illegal decision" and said she would file a case in the European Court of Human rights in Strasbourg. Former State Minister for Conflicts Resolution Giorgi Khaindrava announced that the eight parties involved in the September 28 protests met on October 1 and will make a joint statement, expected to include a demand for early elections. The opposition New Rightists party, which did not join the protests last week, called on Parliament to establish a special commission to probe Okruashvili's allegations against Saakashvili. Ruling party MP Giga Bokeria dismissed the possibility of such a commission. Bokeria and Deputy Speaker of Parliament Mikheil Machavariani both refuted Russia's criticisms of Georgia's developing democracy. Bokeria also criticized Georgian businessman, and sometimes critic of the government, Badri Patarkatsishvili for holding an interview with the Russian daily, Kommersant. End Summary.

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Okruashvili Stays in Prison, Lawyer Decries Ruling  
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[2](#). (U) On October 1, Irakli Okruashvili appealed his two month pre-trial detention ordered by the Tbilisi City Court on September 28 to the Tbilisi Court of Appeals. The Court of Appeals affirmed his detention. His lawyer, Eka Beselia, called the ruling an "illegal decision" and said she would bring a case in the European Court of Human Rights in Strasbourg. Beselia cited several irregularities in the lower court's action. First, the state-appointed public defender is still acting as Okruashvili's defense lawyer, despite the fact that he can afford a private attorney and does not want the public defender to represent him. Second, Beselia complains she was not allowed into Okruashvili's questioning. Third, the defense had no opportunity to read the protocol prior to the hearing; the judge just read them at the hearing.

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Opposition Announces Presentation, Calls for Investigation  
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[3](#). (U) Former State Minister Giorgi Khaindrava, one of the most outspoken leaders of the September 28 protests, announced that the eight opposition parties met on October 1 and will soon make a joint public statement on the situation in Georgia. Without specifying, he said "We have agreed on all the issues. Tomorrow we will hold a presentation of our

campaign and inform society about our plans." The parties are expected to once again challenge Okruashvili's detention and demand early parliamentary elections.

¶4. (U) The opposition New Rightists party, which did not join the protests last week, called on Parliament to establish a special commission to probe Okruashvili's allegations against Saakashvili. Party lawmaker Mamuka Katsitidze said such a commission "will either result in the President's impeachment or in the refutation of the accusations leveled against him." National Movement leader and MP, Giga Bokeria, rebuffed the New Rightists' suggestion, saying the General Prosecutor will investigate the facts and take appropriate action.

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Both Ruling Party and Opposition MPs Reject  
Russian Comments on Georgian Democracy  
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¶5. (U) Deputy Speaker of Parliament Mikheil Machavariani and Bokeria both refuted Russian officials' recent, multiple criticisms of Georgian democracy. In response to a statement by the Russian Duma, which condemned the anti-democratic policy of Georgian authorities and supports the Georgian opposition, Machavariani said "it is cynicism when the country which has toppled democracy adopts statements of this kind." MP Katsitidze of the New Rightists added, "We really have problems with democracy, with human rights. But Russia is not a state which has a moral right to point to us about it."

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Patarkatsishvili Speaks Up, a Little  
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¶6. (SBU) Georgian businessman and opposition figure, Badri

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Patarkatsishvili, gave an interview to the Russian newspaper Kommersant on September 27, two hours after Okruashvili's arrest. Patarkatsishvili said he and Okruashvili meet every two or three months and share the same views, particularly on the unification of the country. Patarkatsishvili encouraged the creation of an independent commission to investigate PM Zhvania's death, and he offered his support to the opposition. In response, Gigi Bokeria, remarked in a televised interview that Patarkatsishvili's comments supporting Okruashvili demonstrate his preference for a weak government that can be more easily influenced. Bokeria said the Russian government frequently demands Patarkatsishvili's extradition, but said Georgia would never extradite him to a country like Russia. He stressed that the President has never taken such a step to get rid of Patarkatsishvili. Georgian television station Rustavi-2 aired a report on October 1 suggesting the re-emergence of Okruashvili could be linked to Patarkatsishvili's intent to increase his political activity. Patarkatsishvili's deep pockets would be welcome to Okruashvili and most other opposition politicians. This is a development the Government has feared for some time, and has reportedly tried in different ways to head off.

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